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LCK US DISTRICT COURT
DISTRICT OF ARIZONA

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

United States of America,

CR19-01095 TUC-JAS(LCK)

Plaintiff,

I N D I C T M E N T

vs.

Violations:

(1) Victor Jesualdo Rodriguez-Pacheco
Counts 1, 2, 3, 4;

18 U.S.C. § 371
(Conspiracy)
Count 1

(2) Angel Galvez-Felix
Counts 1, 3;

18 U.S.C. § 554(a); 22 U.S.C. § 2778; 22
C.F.R. §§ 121.1 and 123.1
(Smuggling Goods From the United
States)
Counts 1, 2, 3, 4

(3) Jorge Dorame
Counts 1, 2;

(4) Kevin Payan
Counts 1, 4;

Defendants.

THE GRAND JURY CHARGES:

COUNT 1

From on or about June 2018 through on or about August 2018, at or near Nogales, Tucson, and elsewhere within the District of Arizona, VICTOR JESUALDO RODRIGUEZ-PACHECO, ANGEL GALVEZ-FELIX, JORGE DORAME, and KEVIN PAYAN did knowingly and intentionally combine, conspire, confederate, and agree together and with persons known and unknown to the grand jury, to commit offenses against the United States, that is: to knowingly export and send from the United States, and

1 attempt to export and send from the United States, any merchandise, article, or object,
 2 contrary to any law or regulation of the United States, and to receive, conceal, buy, sell,
 3 and in any manner facilitate the transportation, concealment, and sale of such merchandise,
 4 article or object, knowing the same to be intended for exportation contrary to any law or
 5 regulation of the United States; in violation of Title 18, United States Code, Section 554(a).

6 **Purpose of the Conspiracy**

7 The purpose of this conspiracy was to commit, and assist in the commission of,
 8 the unlawful smuggling of weapons, weapons components, and weapons parts from the
 9 United States into the Republic of Mexico. The items smuggled or intended to be smuggled
 10 in the course of this conspiracy include:

- 11 • four Matrix Arms AR-15 80% lower receivers
- 12 • two Tapco AR T6 collapsible stocks
- 13 • twenty Browning 1919 A4 .308 WIN caliber ammunition links
- 14 • five Apex SAW/M249 M27 5.56x45 caliber ammunition links
- 15 • two AR-15 compensators
- 16 • three Brownells AR-15 H3 carbine buffers
- 17 • five DPMS AR-15 hammer springs
- 18 • five Magpul MOE AR-15 trigger guards
- 19 • five DPMS AR-15 trigger springs
- 20 • one DPMS AR-15 buffer tube
- 21 • one Brownells M16 bolt carrier group
- 22 • two Brownells AR-15 receiver end plates
- 23 • two Brownells AR-15 charging handles
- 24 • three DPMS AR-15 receiver extension castle nuts
- 25 • five Luth-AR M-16 auto sears with springs
- 26 • six Luth-AR M-16 disconnectors
- 27 • five Brownells AR-15 80% lower receivers
- 28 • seven Colt trigger springs
- seven DPMS hammer springs
- five M16 auto sears with springs
- six M16 auto sear pins
- five M16 disconnectors
- two AR-15 H3 carbine buffers
- one ALG Defense buffer tube kit
- two Browning 1919 A4 machinegun kits

24 **The Means and Methods of the Conspiracy**

25 The means and methods employed by the defendants and their co-conspirators
 26 to carry out the conspiracy and effect its unlawful objects are as follows:
 27
 28

1 It was part of the conspiracy that certain defendants and/or their co-conspirators
2 would arrange for the purchase and order, shipping, receiving, transfer, and transportation
3 of weapons, weapons components, and weapons parts within the District of Arizona.

4 It was a further part of the conspiracy that the defendants and/or their co-
5 conspirators would provide the funds and instructions to facilitate the purchase of these
6 weapons, weapons components, and weapons parts, and would transfer these funds to other
7 defendants and/or co-conspirators to effectuate these purchases.

8 It was a further part of the conspiracy that certain defendants and/or their co-
9 conspirators would purchase and order the weapons, weapons components, and weapons
10 parts from retailers, and direct that these items be shipped to other defendants and/or their
11 co-conspirators.

12 It was a further part of the conspiracy that certain defendants and/or their co-
13 conspirators would receive the shipments of weapons, weapons components, and weapons
14 parts, and transfer these items to other defendants and/or co-conspirators.

15 It was a further part of the conspiracy that the defendants and their co-
16 conspirators intended to facilitate the exportation of the weapons, weapons components,
17 and weapons parts from the United States into the Republic of Mexico.

18 It was a further part of the conspiracy that none of the defendants or their co-
19 conspirators had any valid license or other authority to export the weapons, weapons
20 components, and weapons parts from the United States into the Republic of Mexico.

21 **Overt Acts**

22 In furtherance of the conspiracy, one or more of the co-conspirators committed,
23 or caused to be committed, the overt acts described below:

24 Between on or about June 29, 2018, to on or about August 20, 2018, Jesualdo
25 Rodriguez-Pacheco and Angel Galvez-Felix communicated with each other to make
26 arrangements for the purchase and order, shipment, receipt, transfer, and transportation of
27 weapons, weapons components, and weapons parts which they intended to unlawfully
28 export from Arizona into Mexico.

1 On or about June 2018, Jesualdo Rodriguez-Pacheco requested that Jorge Dorame
2 receive shipments of weapons, weapons components, and weapons parts on Rodriguez-
3 Pacheco's behalf. These items would be ordered using the internet by individuals in
4 Mexico, using Dorame's name and bank account information, and subsequently shipped to
5 Dorame in Arizona. Dorame agreed with Rodriguez-Pacheco to receive the items in
6 exchange for payment. Dorame also opened a bank account in his name for use in
7 transferring funds for and ordering the weapons, weapons components, and weapons parts.
8 Rodriguez-Pacheco and Dorame knew that these items were intended to be smuggled into
9 Mexico.

10 On or about July 11, 2018, Jorge Dorame received and took possession of a
11 shipment of weapons, weapons components, and weapons parts containing four Matrix
12 Arms AR-15 80% lower receivers, two Tapco AR T6 collapsible stocks, twenty Browning
13 1919 A4 .308 WIN caliber ammunition links, five Apex SAW/M249 M27 5.56x45 caliber
14 ammunition links, two AR-15 compensators, three Brownells AR-15 H3 carbine buffers,
15 five DPMS AR-15 hammer springs, five Magpul MOE AR-15 trigger guards, five DPMS
16 AR-15 trigger springs, one DPMS AR-15 buffer tube, one Brownells M16 bolt carrier
17 group, two Brownells AR-15 receiver end plates, two Brownells AR-15 charging handles,
18 three DPMS AR-15 receiver extension castle nuts, five Luth-AR M-16 auto sears with
19 springs, and six Luth-AR M-16 disconnectors.

20 On July 13, 2018, Jorge Dorame transported the weapons, weapons components,
21 and weapons parts he received on July 11, 2018, within Arizona with the intent of providing
22 them to another individual for the purpose of smuggling the items into Mexico. Jesualdo
23 Rodriguez-Pacheco provided the instructions to Dorame, and made the arrangements with
24 Dorame and the other individual for the transfer of the items to be smuggled into Mexico.

25 On July 20, 2018, Jesualdo Rodriguez-Pacheco and Angel Galvez-Felix made
26 arrangements for smuggling additional weapons, weapons components, and weapons parts.
27 Galvez-Felix agreed to order these items, make arrangements with another individual to
28 receive the items, take possession of the items, and transport the items into Mexico.

1 Rodriguez-Pacheco agreed to provide the funds for the purchase of these items and to pay
2 Galvez-Felix for his involvement. Subsequently, pursuant to instructions from Rodriguez-
3 Pacheco, Galvez-Felix ordered weapons, weapons components, and weapons parts;
4 specifically: five Brownells AR-15 80% lower receivers, seven Colt trigger springs, seven
5 DPMS hammer springs, five M16 auto sears with springs, six M16 auto sear pins, five
6 M16 disconnectors, two AR-15 H3 carbine buffers, and one ALG Defense buffer tube kit.
7 Galvez-Felix had these items shipped to another individual, and made arrangements to take
8 possession of these items to further smuggle them into Mexico.

9 On July 24, 2018, the individual to whom Galvez-Felix had the shipment of
10 weapons, weapons components, and weapons parts delivered received the shipment, which
11 contained five Brownells AR-15 80% lower receivers, seven Colt trigger springs, seven
12 DPMS hammer springs, five M16 auto sears with springs, six M16 auto sear pins, five
13 M16 disconnectors, two AR-15 H3 carbine buffers, and one ALG Defense buffer tube kit.

14 On or about July 27, 2018, Jesualdo Rodriguez-Pacheco arranged and provided
15 funds for the order of weapons, weapons components, and weapons parts; specifically: two
16 Browning 1919 A4 machinegun kits. Rodriguez-Pacheco arranged for these items to be
17 shipped to Kevin Payan, and for another individual to subsequently take possession of the
18 items from Payan and smuggle them into Mexico. Payan agreed to receive the items,
19 knowing they were intended to be smuggled into Mexico, in exchange for payment from
20 another individual.

21 On August 2, 2018, Kevin Payan received and took possession of a shipment of
22 weapons, weapons components, and weapons parts containing two Browning 1919 A4
23 machinegun kits. On the same date, Jesualdo Rodriguez-Pacheco instructed Payan to
24 transport the items to Nogales, Arizona, and provide the items to another individual who
25 would smuggle the items into Mexico.

26 All in violation of 18 U.S.C. Section 371.

27
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COUNT 2

On or about July 13, 2018, at or near Nogales and elsewhere within the District of Arizona, VICTOR JESUALDO RODRIGUEZ-PACHECO and JORGE DORAME knowingly exported and sent from the United States, and attempted to export and send from the United States, any merchandise, article, or object, to wit: weapons, weapons components, and weapons parts; specifically: four Matrix Arms AR-15 80% lower receivers, two Tapco AR T6 collapsible stocks, twenty Browning 1919 A4 .308 WIN caliber ammunition links, five Apex SAW/M249 M27 5.56x45 caliber ammunition links, two AR-15 compensators, three Brownells AR-15 H3 carbine buffers, five DPMS AR-15 hammer springs, five Magpul MOE AR-15 trigger guards, five DPMS AR-15 trigger springs, one DPMS AR-15 buffer tube, one Brownells M16 bolt carrier group, two Brownells AR-15 receiver end plates, two Brownells AR-15 charging handles, three DPMS AR-15 receiver extension castle nuts, five Luth-AR M-16 auto sears with springs, and six Luth-AR M-16 disconnectors; contrary to any law or regulation of the United States, to wit: Title 22, United States Code, Section 2778; Title 22, Code of Federal Regulations, Part 121.1; and Title 22, Code of Federal Regulations, Part 123.1; and received, concealed, bought, sold, and in any manner facilitated the transportation, concealment, and sale of such merchandise, article or object, knowing the same to be intended for exportation contrary to any law or regulation of the United States; in violation of Title 18, United States Code, Section 554(a).

COUNT 3

On or about July 24, 2018, at or near Tucson and elsewhere within the District of Arizona, VICTOR JESUALDO RODRIGUEZ-PACHECO and ANGEL GALVEZ-FELIX knowingly exported and sent from the United States, and attempted to export and send from the United States, any merchandise, article, or object, to wit: weapons, weapons components, and weapons parts; specifically: five Brownells AR-15 80% lower receivers, seven Colt trigger springs, seven DPMS hammer springs, five M16 auto sears with springs, six M16 auto sear pins, five M16 disconnectors, two AR-15 H3 carbine buffers, and one

1 ALG Defense buffer tube kit; contrary to any law or regulation of the United States, to wit:
 2 Title 22, United States Code, Section 2778; Title 22, Code of Federal Regulations, Part
 3 121.1; and Title 22, Code of Federal Regulations, Part 123.1; and received, concealed,
 4 bought, sold, and in any manner facilitated the transportation, concealment, and sale of
 5 such merchandise, article or object, knowing the same to be intended for exportation
 6 contrary to any law or regulation of the United States; in violation of Title 18, United States
 7 Code, Section 554(a).

8 **COUNT 4**

9 On or about August 2, 2018, at or near Tucson and elsewhere within the District
 10 of Arizona, VICTOR JESUALDO RODRIGUEZ-PACHECO and KEVIN PAYAN
 11 knowingly exported and sent from the United States, and attempted to export and send
 12 from the United States, any merchandise, article, or object, to wit: weapons, weapons
 13 components, and weapons parts; specifically: two Browning 1919 A4 machinegun kits;
 14 contrary to any law or regulation of the United States, to wit: Title 22, United States Code,
 15 Section 2778; Title 22, Code of Federal Regulations, Part 121.1; and Title 22, Code of
 16 Federal Regulations, Part 123.1; and received, concealed, bought, sold, and in any manner
 17 facilitated the transportation, concealment, and sale of such merchandise, article or object,
 18 knowing the same to be intended for exportation contrary to any law or regulation of the
 19 United States; in violation of Title 18, United States Code, Section 554(a).

20
 21 A TRUE BILL
 /s/

22
 23 _____
 Presiding Juror

24 ELIZABETH A. STRANGE
 First Assistant United States Attorney
 District of Arizona
 /s/

REDACTED FOR
 PUBLIC DISCLOSURE

25
 26 Assistant U.S. Attorney

27 Dated: April 24, 2019